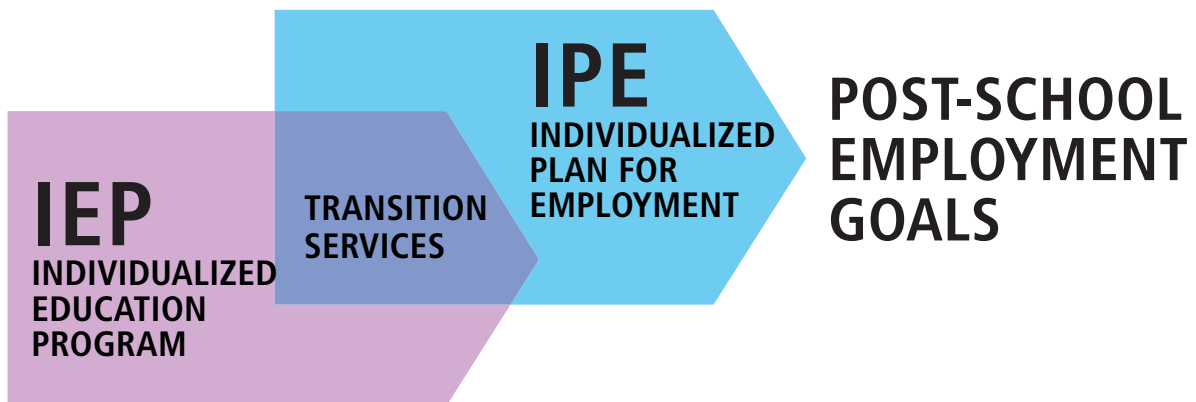


Interagency Agreement



**Division of Learning Support: Equity and Advocacy
Wisconsin Department of Public Instruction**

**Wisconsin Division of Vocational Rehabilitation
Wisconsin Department of Workforce Development**

April 30, 2004

TABLE OF CONTENTS

I.	Statement of Need.....	2
II.	Purpose and Goals	2
III.	Authority and Scope	3
IV.	Transition in Wisconsin.....	3
	What is Transition.....	3
	Overview of Transition	4
	Statewide DPI Commitment.....	4
	Statewide DVR Commitment	5
V.	Transition Process Model.....	6
	Identification of the Post-school Employment Goal.....	6
	Gathering Information about DVR	7
	Referral to DVR.....	7
	Developing Transition Plans for Joint IDEA and DVR Students.....	8
	Coordinating Between Two Plans.....	8
	Implementation, Review, and Changes	9
VI.	Questions and Answers about Payment Responsibility	9
VII.	Commonly Asked Questions	10
VIII.	Terms of the Agreement.....	14
IX.	Signatures	14
X.	Appendices	
	Appendix 1. Authority.....	15
	Individuals with Disabilities Education Act	
	Chapter 115.762(3)(V), Wis. Stats.	
	Rehabilitation Act	
	Appendix 2. Eligibility for Special Education Under Wisconsin Code	19
	Appendix 3. Eligibility/Order of Selection for DVR	20
	Appendix 4. Related Services which Can be Included in an IEP in Support	
	of Special Education	23
	Appendix 5. Services Under DVR.....	24
	Appendix 6. Wisconsin Transition Requirements Checklist	26
	Appendix 7. Comprehensive Staff Development	31
	Appendix 8. Template for a Local Agreement Between LEA, DVR, and	
	Other Agencies	32
	Appendix 9. Technical Assistance Services	34
	Appendix 10. Resolution of Conflicts.....	35

I . Statement of Need

The Department of Workforce Development (DWD) - Division of Vocational Rehabilitation (DVR) and the Department of Public Instruction (DPI) - Division for Learning Support Equity and Advocacy (DLSEA) need to clarify their relationship and establish a common understanding regarding their roles, policies, and procedures related to providing transition services for students with disabilities.

In recent years, attention has been focused on outcomes for students with disabilities. One important outcome under scrutiny is the *employment* of students with disabilities when they leave high school. Nationally, many students with disabilities are significantly unemployed and underemployed, upon leaving school, compared to their peers who do not have disabilities (U.S. Department of Education Office of Special Education and Rehabilitative Services, 2002). In Wisconsin there are over 127,000 students, age 3-21, with disabilities and approximately 449,000 adults of working age with disabilities. DVR serves approximately 40,000 individuals with disabilities per year. Approximately 39% of working age individuals with disabilities are not employed compared to 17% for working age individuals without disabilities. Each year over 6,000 students with disabilities leave school, hoping to become gainfully *employed*. Over 2,300 of those students fail to become gainfully *employed*.

Transition services are essential for ALL students with disabilities in order that they secure the knowledge and skills necessary to be prepared for post secondary education, *employment* and independent living. The need for this interagency agreement is to clearly define relationships, policies, procedures, between the DVR and DPI necessary to create common understandings, and collaboration regarding services that will ultimately improve *employment* outcomes for students with disabilities.

II. Purpose and Goals

Purpose

The purpose of this DPI/DVR Interagency Agreement is to fulfill the interagency agreement mandates found in the Individuals with Disabilities Act and the Rehabilitation Act.

Individuals with Disabilities Education Act (Appendix 1)

34 CFR Sec. 300.142 Methods of ensuring services.

- (a) Establishing responsibility for services. The Chief Executive Officer or designee of that officer shall ensure that an *interagency agreement* or other mechanism for interagency coordination is in effect between each non-educational public agency . . .

Rehabilitation Act (Appendix 1)

34 CFR Sec. 361.22 Coordination with education officials.

- (b) Formal *interagency agreement*. The State plan must include information on a formal interagency agreement with the State educational agency . . .

Goals

This agreement between DPI and DVR has five overall goals:

Goal 1 - to comply with federal legal mandates under the Rehabilitation Act of 1998 and The Individuals With Disabilities Act of 1997 (IDEA),

Goal 2 - to provide practical guidance to school district special and regular education teachers, nurses, psychologists and guidance counselors regarding transition services,

Goal 3 - to provide practical guidance to vocational rehabilitation counselors regarding transition services,

Goal 4 - to provide information on transition services to students and their parents so they will be able to participate fully in transition planning, and

Goal 5 - to provide clarification of roles and responsibilities of school districts and DVR relative to providing transition services to students with disabilities.

III. Authority and Scope

This interagency agreement is mandated under IDEA Section 300.142(a)(b) and under the Rehabilitation Act of 1973 as amended Section 101(a)(11)(D) and 34 CFR 361.22(a)(2).

DPI Authority and Scope

DPI ensures that all children with disabilities are provided free appropriate public education (FAPE) under IDEA and Wisconsin Statutes. (Appendix 1)

DVR Authority and Scope

DVR, under the authority granted by the Rehabilitation Act, may provide any service necessary to achieve the employment goal stated in the Individualized Plan for Employment (IPE). Funding may be limited by state and federal purchasing regulations, required consumer contribution, availability of comparable benefits, and DVR policies. (Appendix 1)

IV. Transition in Wisconsin

What is Transition

Transition is defined by IDEA and the Rehabilitation Act as a coordinated set of activities for a student designed within an outcome-oriented process that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based upon the individual student's needs, taking into account the student's preferences and interests, and must include instruction, community experiences, the development of *employment* and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. The Rehabilitation Act

further states that transition services must promote or facilitate the achievement of the *employment* outcome identified in the student's individualized plan for *employment*.

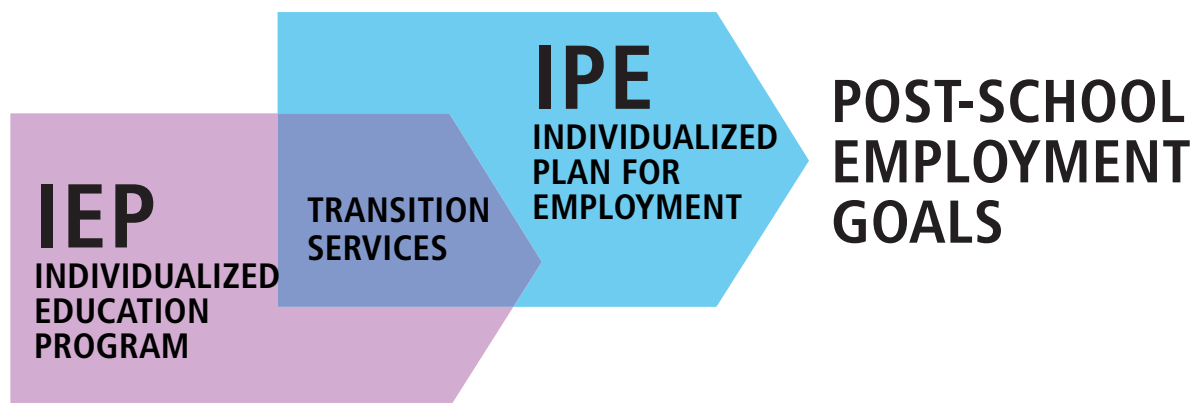
Overview of Transition

Not every student who is eligible for special education (Appendix 2) is also eligible for vocational rehabilitation services (Appendix 3) and not every student who is eligible for vocational rehabilitation is eligible for special education. Therefore, coordination and provision of transition services will vary from student to student depending upon their eligibility status under IDEA and/or the Rehabilitation Act.

Under IDEA, the transition-planning document is the Individualized Education Program (IEP) and under the Rehabilitation Act, the transition-planning document is the IPE. *The IEP is an educational plan that can have an employment component and the IPE is a vocational plan that can have an educational component.* Some students will have an IEP, some will have an IPE, and some will have both.

When the student qualifies for services under IDEA (Appendix 2), transition begins when the student with disabilities turns age 14 (or younger if appropriate) during the timeframe of the IEP. When the student is found eligible for vocational rehabilitation services and comes off the waiting list, (Appendix 3) vocational planning begins.

If the student has both an IEP and an IPE, the documents will outline activities and services (including DVR, special education, and related services, appendix 4 & 5) necessary for the student to move toward obtaining his/her post-school *employment* goal. Both the IEP and IPE should have the same post-school *employment* goal. Therefore, even though there are differences in orientation, there can also be overlap in the activities and services specified in each plan. Both plans provide *individualized* transition services based on the *individual* student's needs, preferences, and interests.



Statewide DPI Commitment

The Special Education Team is part of DPI's Division for Learning Support: Equity and Advocacy. The mission of the Special Education Team is to provide statewide leadership, oversight, advocacy, technical assistance, and promote collaboration among parents, educators, students, communities, and other agencies to ensure that all children with disabilities have available to them FAPE. To assist in this mission, DPI has developed and implemented a transition project titled, the Wisconsin Statewide Transition Initiative (WSTI).

WSTI offers a comprehensive approach to providing transition services in the State of Wisconsin. Twelve Cooperative Educational Service Agency (CESA) based Transition Coordinators, a project director, and a DPI Transition Consultant provide transition support services, information dissemination, and staff development to parents, education professionals, and community agency professionals throughout Wisconsin.

WSTI uses a team approach to build statewide capacity to assist local school districts in assessing their compliance with the IDEA transition requirements using the “Checklist of Requirements for an IEP Planning Meeting” (Appendix 6). The results of the assessment provide data used to develop a transition action plan for improvement. WSTI also provides needed transition professional development and support for teachers, students, parents and community agencies.

DPI agrees to:

1. provide training to first line providers of transition services in school districts and DVR regarding this agreement (Appendix 7),
2. gather IEP compliance and post-school outcome data regarding the students who receive transition services under this agreement and to share that information in non-student specific form with DVR,
3. support expansion of the WSTI which includes transition support services, information dissemination, and staff development to parents, education professionals, and community agency professionals throughout Wisconsin,
4. provide training and reference materials in collaboration with DVR to encourage the establishment of County Interagency Agreements (Appendix 8) using the state agreement to establish a minimum standard for local agreement development,
5. advise school districts regarding their responsibility to involve DVR staff (with reasonable notice) to IEP team meetings,
6. provide a list of Wisconsin secondary schools to DVR and to encourage the identification of a school district or school building contact person needed for DVR collaboration,
7. share responsibility with DVR for publication and dissemination of this agreement, and
8. encourage school districts to participate in county Transition Advisory Councils (TACs).

Statewide DVR Commitment

DWD administers employment and training programs to individuals in the State of Wisconsin. DVR is one division within DWD. The mission of DVR is to assist individuals with disabilities to obtain, prepare for, retain, regain, or advance in employment. DVR is mandated within the Rehabilitation Act to provide transition services. To assist in providing transition services, DVR has designated staff to provide leadership, advocacy, technical assistance, and promote collaboration among consumers, parents, communities, and other agencies. In addition, DVR has assigned liaison counselors to each school district and/or school building in the State of Wisconsin.

DVR agrees to:

1. provide training to first line providers of transition services in school districts and DVR regarding this agreement (Appendix 7),
2. collaborate with DPI to encourage the establishment of County Interagency Agreements (Appendix 8) using the state agreement to establish a minimum standard for local agreement development,
3. gather demographic and outcome data regarding the students who receive transition services under this agreement and to share that information with DPI,
4. support WSTI which includes providing technical assistance to school district Transition Action Teams and the County Advisory Councils, including, information dissemination and participation in staff development activities, (Appendix 9)
5. provide training and reference materials in collaboration with DPI to encourage the establishment of county Interagency Agreements using the state agreement to establish a minimum standard for local agreement development,
6. advise DVR staff to attend IEP team meetings to provide technical assistance and case consultation,
7. designate and communicate a liaison counselor to each school district and/or school building identified by DPI, and
8. share responsibility with DPI for publication and dissemination of this agreement, and
9. encourage DVR staff to participate in county Transition Advisory Councils (TACs).

V. Transition Process Model

DPI and DVR have jointly developed a “Transition Process Model” which includes the following six activities that can assist school district personnel, DVR staff, students, and parents in joint collaboration. The six activities are 1) Identification of the Post-school Employment Goal, 2) Gathering Information About DVR, 3) Referral to DVR, 4) Developing IEP & IPE Transition Plans, 5) Coordinating Between Two Plans, and 6) Implementation, Review, and Changes. In addition to the Transition Process Model, DPI and DVR encourage the development of local agreements. (See Appendix 8)

Identification of the Post-school Employment Goal

What to Expect from the School:

The school district will assist the student and parent to determine his/her needs, preferences, and interests related to life after high school. This may include such activities as informational interviews, job shadowing, exploration of vocational information resources, visits to the job center, participation in a community-based work experience, or more formal evaluation strategies. When the student turns 14 during the timeframe of the IEP, the school will include post-school goals in the IEP.

What to Expect from DVR:

During this stage of transition, DVR does not usually work formally with a student, however, at the request of the teacher, guidance counselor, student, or parent, a DVR counselor can be invited to assist in developing a strategy for the school to identify appropriate post-school employment goals. These technical assistance services (Appendix 9) from DVR are available upon request.

What the Student/Parents Should Do:

The student and parent are formally invited to the IEP team meeting. Before the meeting,

the student should begin working on identifying post-school goals (to include an employment goal) at age 14, or younger if appropriate. When the student turns 14 during the timeframe of the IEP, ask the school whether there are post-school goals identified (to include employment goals). Once post-school goals have been identified, make sure they are specified in the IEP and that the IEP is directed toward helping the student move toward the post-school goals.

Activity:

DVR will assign a liaison staff person to each public high school and/or school building in Wisconsin and will make that list available to DPI. The liaisons are identified on the DVR (www.dwd.state.wi.us/dvr/tran.htm) and the WSTI (www.wsti.org) websites. DVR can provide technical assistance to the school district and student in identifying the student's post-school employment goal.

Gathering Information about DVR

What to Expect from the School:

The school district is encouraged to provide students with opportunities to learn about DVR. A DVR liaison may be invited to make a presentation to the student and parents regarding DVR services.

What to Expect from DVR:

DVR staff will provide outreach to students as early as possible during the transition planning process and will include, at a minimum, a description of the purpose of the vocational rehabilitation program, eligibility requirements, application procedures, and scope of services that may be provided to eligible individuals.

What the Student/Parents Should Do:

Contact your DVR counselor or ask your school district special education teacher whether a referral/contact to DVR would be appropriate.

Activity:

Opportunities for outreach will be coordinated between school districts and DVR and may include transition nights, classroom presentations, PTA/PTO meetings, parent-teacher conferences, or job fairs.

Referral to DVR

What to Expect from the School:

Each school district may designate one contact person to work with DVR (the primary contact between the school district and DVR). With written consent from the parent, the school will refer the student to DVR whenever it appears that DVR services will be needed or two years prior to the student leaving the school, whichever comes first. Upon referral, the school district will make available to DVR such diagnostic results as may be necessary for DVR to complete an eligibility determination and functional assessment rating to determine the order of selection category. The student's post-school employment goal information will be included in the referral materials if available. The referral to DVR may be made in conjunction with an invitation to DVR staff to attend an IEP planning meeting. If this is not convenient or if an IPE meeting is not scheduled, the referral may be made separately.

What to Expect from DVR:

DVR is required to respond to ALL referrals for services. DVR will mail an application and informational materials to each student or guardian upon request or receipt of a

referral. Once an application is received by DVR, the process will begin with an appointment with the DVR counselor.

What the Student/Parents Should Do:

If the student is within two years of leaving school and a referral has not been made to DVR, ask the special education teacher whether a referral would be appropriate. The student may self-refer to DVR or a parent/guardian may contact DVR directly.

Activity:

Visit the DVR (www.dwd.state.wi.us/dvr/tran.htm) and the WSTI (www.wsti.org) websites to access the county interagency agreement and Point of Entry Manual. The DVR liaisons and the local school district contact person are referenced in these websites.

Developing Transition Plans for Joint IDEA and DVR Students

What to Expect from the School:

The DVR counselor/liaison should be invited to every IEP meeting for DVR eligible students. The student's post-school employment goal will be stated and discussed. The services needed from the school for the student to move toward their post-school employment goal will be identified and included in the IEP. If appropriate, a portion of the IEP meeting may be devoted to writing, reviewing, or coordinating the IPE with the IEP.

What to Expect from DVR:

It is recommended that the IPE be developed during an IEP meeting. The IPE must state a post-school employment goal. This should be the same as the post-school employment goal identified in the student's IEP. The IPE must also state those services that will be necessary for the student to obtain the employment goal. The student will be provided alternatives as to how the IPE is written, including the possibility of writing the plan themselves with technical assistance from DVR, from the school, or from another source. If the student is on the DVR waiting list under the Order Of Selection (OOS) (Appendix 3) at the time the IEP team meeting occurs, IPE planning services will not be available. If the student is on the waiting list or if the student has not applied for DVR services, the role of the DVR counselor will be limited to technical assistance and consultation.

What the Student/Parents Should Do:

Review the post-school goals including the employment goals and services in the IEP. Obtain a copy of the IPE and compare the goals and services on the IPE with the goals and services on the IEP. If there are discrepancies between the IEP and IPE, make your concerns known and ask questions.

Activity:

Determine if the IEP and IPE relate to each other and reflect a coordinated plan.

Coordinating Between Two Plans

What to Expect from the School:

The school will provide leadership related to the Statement of Needed Transition Services within each student's IEP. This will include scheduling meetings, inviting participants (with input from and consent of the IEP team), arranging for services and their funding, and monitoring progress. For those students who are DVR eligible, this also may include communicating progress to DVR with written consent.

What to Expect from DVR:

For students who are IDEA and Rehabilitation Act eligible, DVR will be an active participant in the IEP planning process and will provide services as stated in the IPE. For students who are NOT IDEA eligible, but meet DVR's eligibility requirements, DVR will provide leadership for case managing the IPE. This will include scheduling meetings, inviting participants (with input from students/parents), arranging for services and funding, and monitoring progress

What the Student/Parents Should Do:

Taking responsibility for one's own IEP and IPE is critical in the transition planning process. There is no substitute for self-advocacy and self-determination skills. Students and parents need to know what is supposed to happen and when. Ask questions.

Activity:

Self-advocacy and self-determination skills development need to be provided by schools and DVR and demonstrated by students with disabilities.

Implementation, Review, and Changes

What to Expect from the School:

Each IEP must be reviewed at least annually. Any changes will be provided to DVR with written consent (for those students who are DVR eligible) and to the student and parents.

What to Expect from DVR:

Each IPE must be reviewed at least annually. Any changes must be provided to the school district (if the student is still enrolled in school) with written consent and to the parents and student.

What the Student/Parents Should Do:

Determine if the post-school employment goal is still the same. If the post-school goal has changed, determine if the services are still appropriate. If the goal has changed, it is likely that the services will change also. Determine how progress is being measured. Evaluate if adequate progress is being made toward the post-school goal. Are there any issues which need to be addressed that were not anticipated in the last IEP or IPE review?

Activity:

When, how, and where IEPs and IPEs are reviewed is based on the individual needs of the student. Meetings need to be scheduled at least annually, and minimally involve the school district, student, parent (if student is a minor), and DVR.

VI. Questions and Answers about Payment Responsibility

Please note: The following discussion seeks to provide a mechanism to identify which agency (the school district or DVR) has the primary responsibility to provide funding for needed transition services.

Nothing in IDEA absolves the school district of the responsibility for providing FAPE. Nothing in the Rehabilitation Act absolves DVR of the responsibility of providing or paying for rehabilitation services that the agency would otherwise provide to students with disabilities. However, DVR will seek to obtain third party funding whenever it is available before committing funds from their own budgets. This seeking of comparable benefits is a mandate in the Rehabilitation Act. Furthermore, neither IDEA, nor the Rehabilitation Act, allows costs to be shifted from a school district to DVR or from DVR to a school district.

When there is overlap of educational and rehabilitation goals and services, a cost sharing arrangement may be negotiated between DVR and the school district. This arrangement may be outlined in the county interagency agreements. To know for sure who will pay for a service, the school district and DVR counselors must be consulted.

The following are general guidelines to help understand how decisions can be made under the DVR and DPI interagency agreement. These guidelines should not be understood to be absolutes since individual situations are different from student to student.

Test 1 - Will the service help to achieve the educational goal of the IEP? If yes, the school is primarily responsible for the service.

Test 2 - Will the service help to achieve the employment goal of the IPE? If yes, DVR is primarily responsible for the service.

Test 3 - If the same service appears on both the IEP and IPE, the school and DVR are responsible for negotiating a cost sharing arrangement (conflicts are to be resolved utilizing the process outlined in Appendix 10).

VII. Commonly Asked Questions

The situations described below assume the student is eligible for special education under IDEA, has been found eligible as a DVR consumer and is not on the waiting list, and has an approved IPE.

1. Can DVR provide services to a student who is still in high school?

Yes.

2. What if the student does not know what kind of a job he or she wants?

For an IPE to be written, a post-school employment goal must be known. If the student does not have a post-school employment goal, DVR may be able to provide assistance in determining an appropriate employment goal.

3. Should the DVR counselor be invited to the IEP meetings?

The decision of whether to include DVR counselors in the IEP team process is determined by the school district, student, and parents. If it is possible that the student will require DVR services, the DVR counselor should be invited to the IEP meetings.

4. When should DVR be included in IEP planning?

The DVR counselor should be involved in IEP meetings when the need for vocational services is anticipated, but no later than two years prior to school exit.

5. Are all students with IEPs eligible for DVR services?

No. To have an IEP, the student must meet the eligibility criteria for IDEA. To have an IPE, the student must meet the eligibility and order of selection criteria for the Rehabilitation Act. The eligibility criteria for these two laws are not identical.

6. How is it determined if the student will go on the DVR waiting list?

If the student meets DVR's eligibility criteria, the student will go on the waiting list. ALL newly eligible consumers are placed on the waiting list. How long a student remains on the waiting list will be determined by the order of selection category placement. The most severely disabled students will be served first and usually will not spend more than a few days on the waiting list.

7. How do we know if DVR will provide a vocational evaluation for the student?

Generally speaking, DVR will provide a vocational evaluation if the student needs one to determine the post-school employment goal for the IPE or what services the student will need to be successful in his/her rehabilitation. If the vocational evaluation is also needed to determine the post-school employment goal for the IEP, a cost sharing arrangement will be made for the evaluation.

8. How can we tell if DVR will pay for work experience for a student?

Generally speaking DVR will pay for work experience under the following conditions:

- The student does not know what post-school employment goal would be appropriate for the IPE and work experience is the best way to determine this.
- An IPE has been developed and work experience is one of the services necessary for the student to achieve their post-school employment goal.

If work experience is also needed for the student to achieve his/her IEP goals, a cost sharing arrangement will be made.

9. How can it be determined if DVR will agree to supported employment services for a student's IPE?

DVR will agree to supported employment if the following conditions are met:

- Supported employment is a necessary service for the student to achieve their post-school employment goal.
- There is a reasonable expectation that funding for long-term support services will be available when the student needs them. Supported employment is a long-term service and DVR's role is relatively short (DVR provides services until the student achieves stability on the job). Before DVR can initiate supported employment services for a student, DVR must know who is going to pay for the long-term service costs.

10. Are representatives of DVR required to participate in the IEP meeting to develop statements of needed transition services?

In Wisconsin, DVR has entered into an interagency agreement with DPI regarding the provision of transition services. Within that agreement DVR has committed to ensuring the involvement of DVR staff in the IEP team meeting process. DVR input into specific IEPs will be available no later than two years prior to the student's school exit.

11. What if an invited DVR counselor does not attend the IEP meeting?

If the DVR counselor is invited to an IEP planning meeting but is unable to attend, the public agency shall take other steps to obtain participation of the other agency (i.e., DVR) in the planning of any transition services. Other steps could include, but are not limited to, such activities as phone conversations or conference calls about potential services, including the agency in a general information session with the student and family, providing print information about the agency services or arranging for a meeting with the agency prior to the IEP meeting.

12. Who decides what is actually written in the statement of needed transition services? Who has the final decision?

The student, family, school, and appropriate agencies (e.g. DVR) must decide together what the content will be. A successful transition depends on all parties working cooperatively to develop and implement the programs, services, and activities in the IEP. However, the school has the ultimate responsibility and authority for ensuring FAPE.

13. Are secondary students with disabilities who are not served in special education supposed to receive transition services also?

Students who have disabilities but are not served in special education will not be able to access transition services through the IEP process. Nonetheless, they may be eligible for transition services from DVR separately and should contact DVR to see if they are eligible.

14. What is the role of the vocational rehabilitation counselor?

It is that of a vocational expert. Responsibilities of the VR counselor in the IEP Transition process would include any/or all of the following:

*Outreach - Sharing of information on the Division of Vocational Rehabilitation (DVR) program, its policies, and process to educators, parents, students or any other interested community member.

*Technical Assistance - Providing assistance to educators, parents and students on specific information related to the employment of people with disabilities. Information topics may include disabilities, employment, post-secondary education, assistive technology, labor market etc.

*Information/Referral - To community programs and services that may assist an individual in reaching their employment and independent living goals.

*Rehabilitation Counseling and Planning - Occurs upon eligibility for DVR services and placement into "open" Order Of Selection category. Rehabilitation counseling will include assistance in the development of vocational goals and will be present throughout the entire VR process.

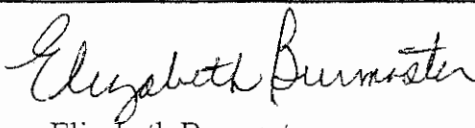
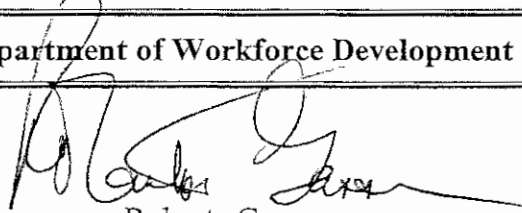
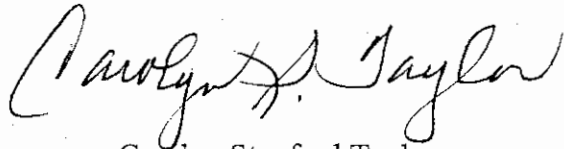
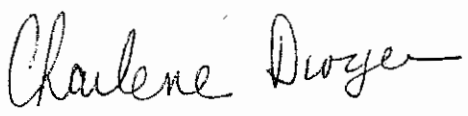
*Service Provision - Services provided by DVR are individualized, and will be according to an approved Individualized Plan for Employment (IPE). All services provided by DVR will be directly related to the establishing and achieving a vocational goal.

VIII. Terms of the Agreement

The terms of this interagency agreement between the Department of Workforce Development/Division of Vocational Rehabilitation and the Department of Public Instruction/Division for Learning Support: Equity and Advocacy shall begin on the date of signatures and continue until replaced by a new agreement.

IX. Signatures

This agreement is effective immediately upon joint signature:

Department of Public Instruction	Department of Workforce Development
 Elizabeth Burmaster	 Roberta Gassman
Elizabeth Burmaster State Superintendent	Roberta Gassman Secretary
4/28/04	04/28/04
 Carolyn Stanford Taylor	 Charlene Dwyer
Carolyn Stanford Taylor Assistant Superintendent Division for Learning Support: Equity and Advocacy	Charlene Dwyer Administrator Division of Vocational Rehabilitation
4/28/04	04/28/04

X. Appendices

Appendix 1 Authority

Individuals with Disabilities Education Act

34 CFR Sec. 300.142 Methods of ensuring services.

(a) Establishing responsibility for services. The Chief Executive Officer or designee of that officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each non-educational public agency described in paragraph (b) of this section and the SEA, in order to ensure that all services described in paragraph (b)(1) of this section that are needed to ensure FAPE are provided, including the provision of these services during the pendency of any dispute under paragraph (a)(3) of this section. The agreement or mechanism must include the following:

(1) Agency financial responsibility. An identification of, or a method for defining, the financial responsibility of each agency for providing services described in paragraph (b)(1) of this section to ensure FAPE to children with disabilities. The financial responsibility of each noneducational public agency described in paragraph (b) of this section, including the State Medicaid agency and other public insurers of children with disabilities, must precede the financial responsibility of the LEA (or the State agency responsible for developing the child's IEP).

(2) Conditions and terms of reimbursement. The conditions, terms, and procedures under which an LEA must be reimbursed by other agencies.

(3) Interagency disputes. Procedures for resolving interagency disputes (including procedures under which LEAs may initiate proceedings) under the agreement or other mechanism to secure reimbursement from other agencies or otherwise implement the provisions of the agreement or mechanism.

(4) Coordination of services procedures. Policies and procedures for agencies to determine and identify the interagency coordination responsibilities of each agency to promote the coordination and timely and appropriate delivery of services described in paragraph (b)(1) of this section.

(b) Obligation of noneducational public agencies.

(1) General.

(i) If any public agency other than an educational agency is otherwise obligated under Federal or State law, or assigned responsibility under State policy or pursuant to paragraph (a) of this section, to provide or pay for any services that are also considered special education or related services (such as, but not limited to, services described in Sec. 300.5 relating to assistive technology devices, Sec. 300.6 relating to assistive technology services, Sec. 300.24 relating to related services, Sec. 300.28 relating to supplementary aids and services, and Sec. 300.29 relating to transition services) that are necessary for ensuring FAPE to children with disabilities within the State, the public agency shall fulfill that obligation or responsibility, either directly or through contract or other arrangement.

Chapter 115.762(3)(V), Wis. Stats:

A. DPI is responsible for the supervision of all public schools in Wisconsin to the extent authorized by law. Specific roles of the department with regard to programs for students

with disabilities are under the responsibility of the Division for Learning Support, Equity and Advocacy and include the following duties pursuant to s.115.762 (3) Stats:

(3)(a) Ensuring that all children with disabilities, including children who are not yet 3 years of age, who reside in this state and who are in need of special education and related services are identified, located and evaluated.

(3)(am) Ensuring that a free appropriate public education is available to all children with disabilities who reside in this state, including such children who are suspended or expelled from school.

(3)(b) Developing and implementing a practical method to determine which children with disabilities are receiving special education and related services.

(3)(c) Complying with the requirements of this subchapter and applicable federal law, including 20 USC 1415 (k)

(3)(d) Coordinating and supervising the provision of all publicly funded special education and related services for children with disabilities in this state, and ensuring that such education and services meet the educational standards of the department, including any criteria established by the department relating to enrollment.

(3)(e) Pursuant to s. 115.77(4), approving the plan for the provision of all special education and related services provided by a local educational agency.

(3)(g) Monitoring and enforcing local educational agency and child caring institutional compliance with this subchapter and applicable federal law, including 20 USC 1415 (k).

(3)(h) Maintaining current information on all publicly funded special education and related services within this state and making this information public.

(3)(i) Coordinating a comprehensive system of personnel development that is designed to ensure an adequate supply of qualified special education, regular education and related services personnel and that meets the requirements of applicable federal law, including participation, as appropriate, by institutions of higher education, state and local agencies and other public and private organizations.

(3)(j) Examining data to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities among local educational agencies or compared to such rates for non-disabled children within such agencies. If such discrepancies are occurring, the division shall review and, if appropriate, revise or require the affected local educational agency to revise its policies, procedures and practices relating to the development and implementation of individualized education programs, the use of behavioral interventions and procedural safeguards to ensure that such policies procedures and practices comply with this subchapters.

- B. The role of DPI in the authorization of payment for program aid and distribution of federal funds for special education services.

1. Under 115.88 State aid (1m) Program Aid (a). If upon receipt of the plan under s. 115.77(4), the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to the amount expended by the county, agency and school district during the preceding year for salaries of personnel...

Sec. 612 IDEA (18) supplementation of state, local and other federal funds.

300.156 Annual description of use of Part B funds. (a) In order to receive a grant in any fiscal year the State must annually describe -

(1) How amounts retained for State-level activities under 300.602 will be used to meet the requirements of this part;

(2) How those amounts will be allocated among the activities described in 300.621 and 300.370 to meet State priorities based on input from LEAs; and

(3) The percentage of those amounts, if any, that will be distributed to LEAs by formula.

Consent/transfer of parental rights at age of majority.

Parents or guardians have the right to sign consent for release of pupil records for their minor children. When a student reaches the age of 18, the right to sign consent transfers to the adult student unless the student has been determined to be Incompetent. Also, although the right to consent transfers to the adult student, LEAs must send special education notices to both the parents and to the adult student.

Sec. 115.807, Wis. Stats.

115.807, Wis. Stats. Transfer of parental rights at age of majority. When a child with a disability, other than a child with a disability who has been determined to be incompetent under ch. 880, reaches the age of 18, all of the following apply:

(1) The local educational agency shall provide any notice required by this subchapter to both the individual and the individual's parents.

(2) All other rights accorded to the individual's parents under this subchapter transfer to the individual.

(3) The local educational agency shall notify the individual and the individual's parents of the transfer of rights.

Rehabilitation Act

34 CFR Sec. 361.22 Coordination with education officials.

(a) Plans, policies, and procedures. (1) The State plan must contain plans, policies, and procedures for coordination between the designated State agency and education officials responsible for the public education of students with disabilities that are designed to facilitate the transition of students with disabilities from the receipt of educational services in school to

the receipt of vocational rehabilitation services under the responsibility of the designated State agency.

(2) These plans, policies, and procedures in paragraph (a)(1) of this section must provide for the development and approval of an individualized plan for employment in accordance with Sec. 361.45 as early as possible during the transition planning process but, at the latest, by the time each student determined to be eligible for vocational rehabilitation services leaves the school setting or, if the designated State unit is operating under an order of selection, before each eligible student able to be served under the order leaves the school setting.

(b) Formal interagency agreement. The State plan must include information on a formal interagency agreement with the State educational agency that, at a minimum, provides for--

(1) Consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;

(2) Transition planning by personnel of the designated State agency and educational agency personnel for students with disabilities that facilitates the development and completion of their individualized education programs (IEPs) under section 614(d) of the Individuals with Disabilities Education Act;

(3) The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services; and

(4) Procedures for outreach to and identification of students with disabilities who are in need of transition services. Outreach to these students should occur as early as possible during the transition planning process and must include, at a minimum, a description of the purpose of the vocational rehabilitation program, eligibility requirements, application procedures, and scope of services that may be provided to eligible individuals.

Appendix 2

Eligibility for Special Education under Wisconsin Code

s. 115.75(5) (a) “Child with a disability” means a child who, by reason of any of the following, needs special education and related services:

1. Cognitive disabilities.
2. Hearing impairments.
3. Speech or language impairments.
4. Visual impairments.
5. Emotional disturbance.
6. Orthopedic impairments.
7. Autism.
8. Traumatic brain injury.
9. Other health impairments.
10. Learning disabilities.

(b) “Child with a disability” may, at the discretion of the local educational agency and consistent with department rules, include a child who, by reason of his or her significant developmental delay, needs special education and related services.

Cross Reference: See also s. PI 11.36, Wis. Adm. Code.

Wis. Adm. Code

PI 11.35 Determination of eligibility. (1) An evaluation conducted by an IEP team under s. 115.782, Stats., shall focus on the consideration of information and activities that assist the IEP team in determining how to teach the child in the way he or she is most capable of learning. Specifically, the IEP team shall meet the evaluation criteria specified under s. 115.782 (2) (a), Stats., when conducting tests and using other evaluation materials in determining a child’s disability.

(2) A child shall be identified as having a disability if the IEP team has determined from an evaluation conducted under s. 115.782, Stats., that the child has an impairment under s. PI 11.36 that adversely affects the child’s educational performance, and the child, as a result thereof, needs special education and related services.

(3) As part of an evaluation or reevaluation under s. 115.782, Stats., conducted by the IEP team in determining whether a child is or continues to be a child with a disability, the IEP team shall identify all of the following:

- (a) The child’s needs that cannot be met through the regular education program as structured at the time the evaluation was conducted.
- (b) Modifications, if any, that can be made in the regular education program, such as adaptation of content, methodology or delivery of instruction to meet the child’s needs identified under par. (a), that will allow the child to access the general education

Appendix 3

Eligibility/Order of Selection for DVR

Two separate determinations must be made before someone receives DVR services:

- Eligibility determination
- Placement on the order of selection waiting list

To be eligible for DVR services one must:

- Have a physical or mental disability.
- The disability must make it difficult for the person to obtain, retain, prepare for, regain, or advance in employment.
- The individual must need DVR services to achieve an appropriate employment goal.

A person who is receiving Social Security Disability Income (SSDI) or Social Security Income (SSI) because they have a disability is automatically eligible for DVR services.

Because DVR does not have sufficient resources to provide services to everyone who is eligible, the Rehabilitation Act requires that those people with the most significant disabilities be served first. That is the reason for the second determination, placement on the order of selection waiting list. Once an individual has met the test for the eligibility determination, DVR must assess how significantly disabled the individual is. DVR has three categories of severity:

- Most significantly disabled (category 1)
- Significantly disabled (category 2)
- Disabled (category 3)

To be placed in category 1, an individual must have significant functional limitations in three functional areas.

To be placed in category 2, an individual must have a significant functional limitation in one functional area.

To be placed in category 3, an individual would have limitations not determined as significant.

The following defines and gives examples of the functional areas assessed for order of selection:

The placement of an individual on the DVR order of selection waiting list takes into account how severely disabled the individual is in the following areas:

Mobility

Mobility means the physical, cognitive and psychological ability to get to work from home and to move around a worksite or participate in work activities.

Examples of significant mobility limitations:

1. Person with mental illness who has sufficient anxiety when in public that he/she cannot utilize public transportation effectively
2. Person in a wheelchair who does not have the upper body strength to move around any areas which are carpeted or uneven.

3. Person who has traumatic brain injury and who cannot consistently take the bus independently to work because he/she becomes disoriented when anything unpredictable occurs in their routine.

Communications

Communication means the physical, cognitive, and psychological ability to exchange information effectively when participating in work related activities.

Examples of significant limitations in communication:

1. Individual with hearing impairment who cannot verbally communicate comfortably with hearing co-workers.
2. Individual with specific learning disability who cannot read written instructions from supervisor and translate them into expected work activities.
3. Individual with speech impediment who cannot communicate questions about work to co-workers or supervisors.

Self-Care

Self-care means the physical, cognitive, and psychological ability to perform activities of daily living at a level which allows the individual to participate in work-related activities.

Examples of significant limitations in self-care:

1. Quadriplegic who cannot take care of own toileting needs at work.
2. Diabetic who requires precise timing of meal and snack breaks and cannot work in situations requiring scheduling and work task flexibility and responsiveness to work flow variations.
3. Person with brain injury who cannot remember morning grooming procedures without prompting by an attendant - the attendant does not arrive in time to allow this person to get to work before 10 a.m.

Self-Direction

Self-direction means the physical, cognitive, and psychological ability to initiate, organize, and make decisions in one's own best interest at a level allowing the individual to participate in work-related activities.

Examples of significant limitations in self-direction:

1. Individual with alcoholism who relapses every 2-3 months and goes on multi-day binge not allowing him/her to report to work.
2. Individual with specific learning disability who cannot independently find work to do to keep busy, or to appear busy, at work.
3. Individual with history of depression who cannot apply for promotions because of depression and medication related lethargy.

Interpersonal Skills

Interpersonal skills means the physical, cognitive, and psychological ability to establish and maintain relationships with others at a level which allows the individual to participate in work-related activities.

Examples of significant limitations in interpersonal skills:

1. Individual with personality disorder who makes co-workers frightened and uncomfortable.
2. Individual with hearing impairment who speaks with exaggerated affect, which is normal in the deaf community, but which makes co-workers think he/she is angry or over-bearing.
3. Individual with depression who is socially isolated and unable to participate in the expected break room camaraderie of after-hours activities. Therefore, co-workers think he/she is stuck up and unfriendly.

Work Tolerance

Work tolerance means the physical, cognitive and psychological ability to meet the demands of participating in work-related activities. (For example, how long and under what conditions can the individual work?)

Examples of significant limitations in work tolerance:

1. Individual with anxiety disorder who cannot work when panic attacks occur. Requires very flexible scheduling to accommodate unexpected anxiety.
2. Individual with back injury who can only work four hours per day because of pain.
3. Individual with carpal tunnel syndrome who cannot manipulate with hand and finger dexterity consistently. Drops objects frequently because of lack of strength in hands.

Work Skills

Work skills means the physical, cognitive, and psychological ability to meet employment expectations for entry-level workers (or in the case of someone who is already employed, the expectations of employers for someone at that level of employment). In other words, is there a reasonable expectation that this person could obtain some kind of work or participate in work-related activities without training?

Examples of significant limitations in work skills:

1. Individual with 8th grade education who has lifting restriction of five pounds because of back injury. Cannot perform unskilled labor.
2. Individual with brain injury who does not know how to stay on task for longer than five minutes without disrupting the work of co-workers.
3. Individual with specific learning disability who cannot fill out job applications or personnel papers as expected of new employees.

Appendix 4

Related Services which Can be Included in an IEP in Support of Special Education

If necessary for a student to accomplish the educational objectives of the IEP, any of the following services may be provided by the school:

- ✓ transportation
- ✓ developmental, corrective, and other supportive services
- ✓ speech/language pathology
- ✓ audiology
- ✓ psychological services
- ✓ physical therapy
- ✓ occupational therapy
- ✓ recreation (including therapeutic recreation)
- ✓ early identification and assessment of disabilities
- ✓ counseling services (including rehabilitation counseling)
- ✓ medical services for diagnosis or evaluation
- ✓ social work services
- ✓ orientation and mobility (for people with visual impairments)
- ✓ counseling and training for parents

Appendix 5

Services Under DVR

If you have family taxable income (federal) of over \$75,000 per year, you may be required to pay a portion of the cost of your rehabilitation.

VR services are any services described in a plan for employment necessary to assist a consumer in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the consumer, including:

1. Assessment for determining eligibility and VR needs.
2. Counseling and guidance, including information and support services to assist a consumer in exercising informed choice.
3. Referral and other services to secure needed services from other agencies.
4. Job-related services, including job search and placement assistance, job retention services, follow-up services and follow-along services.
5. Vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials, except that no training services provided at an institution of higher education shall be paid for with funds under this title unless maximum efforts have been made by the DVR and the consumer to secure grant assistance, in whole or in part, from other sources to pay for such training.
6. To the extent that financial support is not readily available from a source, such as health insurance or through comparable services and benefits, other than the DVR, diagnosis and treatment of physical and mental impairments, including:
 - Corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition that constitutes a substantial impediment to employment, but is of such a nature that such correction or modification may reasonably be expected to eliminate or reduce such impediment to employment within a reasonable length of time.
 - Necessary hospitalization in connection with the surgery or treatment.
 - Prosthetic and orthotic devices.
 - Eyeglasses and visual services as prescribed by qualified personnel and who are selected by the consumer.
 - Special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the treatment of consumers with end-stage renal disease.
 - Diagnosis and treatment for mental and emotional disorders by qualified personnel who meet state licensure laws.
7. Maintenance for additional costs incurred while participating in an assessment for determining eligibility and VR needs or while receiving services under a plan for employment. Maintenance is provided when relocation is necessitated by the IPE, is feasible and results in increased costs to the consumer. If commuting and relocation are both feasible, the consumer will have the choice. However, DVR costs will be limited by the less costly of the two alternatives.
8. Transportation, including adequate training in the use of public transportation vehicles and systems, is provided in connection with the provision of any other service described in this section and needed by the consumer to achieve an employment outcome.
9. On-the-job or other related personal assistance services provided while a consumer is receiving other services described in this section.

10. Interpreter services provided by qualified personnel for consumers who are deaf or hard of hearing or deaf-blind, and reader services for consumers who are determined to be blind after an examination by qualified personnel who meet state licensure laws.
11. Rehabilitation teaching services and orientation and mobility services for consumers who are blind or visually impaired.
12. Occupational licenses, tools, equipment, and initial stocks and supplies.
13. Service to achieve self-employment or small business goals. Technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources to the extent such resources are authorized to be provided through the statewide workforce investment system to consumers who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome. The DVR and the consumer must assess the individual's knowledge, ability, motivation, and personal commitment to establish, operate and maintain a business that generates a competitive wage and will be self-sustaining. The consumer must complete a thorough and well-researched business plan on self-employment or the operation of a small business. The plan must address all aspects of start-up costs, sources of funding, sufficient resources to leverage start-up capital, ongoing operation costs, and likelihood of profitability within a reasonable timeframe.
14. Rehabilitation technology including telecommunications, sensory, and other technological aids and devices. Replacement of equipment must be disability-related and linked directly to the consumer's IPE.
15. Transition services for students with disabilities that facilitate the achievement of the employment outcome identified in the plan for employment.
16. Supported employment services, including ongoing support services and other appropriate services needed to support and maintain a consumer with a most significant disability in supported employment that are provided singly or in combination and are organized and made available to assist the consumer to achieve competitive employment. Supported employment services are provided based on a determination of the needs of the consumer and specified in a plan for employment. Supported employment services are provided for up to a maximum of 18 months unless, under special circumstances, the consumer and the VR Counselor agree to extend the time in order to achieve the rehabilitation objectives identified in the plan for employment.
17. Services to the family of a consumer necessary to assist the consumer to achieve an employment outcome.
18. Specific post-employment services necessary to assist a consumer to retain, regain, or advance in employment.
19. Planned trial work experience provided in a realistic, integrated, work site in the community which evaluates the individual's abilities, capabilities, and work capacity. The selection of specific work sites for trial work experience must be consistent with the consumer's exercise of informed choice. Trial work experiences may include supported employment work situations or on-the-job training if they meet the aforementioned criteria. If the individual has accommodation needs which can be addressed through provision of assistive technology devices, assistive technology services, or personal attendant care services, those must be addressed when trial work experience is provided. The plan for trial work experiences must incorporate and document periodic assessments to be carried out during the trial work experiences.
20. Other goods and services necessary to assist a consumer to retain, regain or advance in employment.

Appendix 6
Wisconsin Transition Requirements Checklist

Reviewer _____ **District** _____ **Gender of Student** _____
IEP Review Date _____ **First Two Letters of Student's Last Name** _____
Birth Date _____ **Disability** _____ **Age at IEP** _____ **IEP Date** _____
Review 1 or 2 School Year _____

Wisconsin
Transition Requirements Checklist*
August 2003

PARTICIPANTS IN THE IEP MEETING

1. Did the public agency invite the student?

[References— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP), (WI IEP Form: I-2) Cover Sheet, (WI IEP Form: I-9, Question B1) Transition Section]

Yes _____ No _____

Comments:

2. Did the student attend the IEP meeting? [This question is not an IDEA 97 requirement.]

[Reference— (WI IEP Form: I-2) Cover Sheet]

Yes _____ No _____

Comments:

3. Did the public agency take steps to ensure that the student's preferences and interests were considered in the development of the IEP? [The IEP shows evidence that the student's preferences and interests were integrated into the development of the PLEP, STSN, SNTS and Annual Goals and Objectives.]

[Reference— (WI IEP Form: I-9, Question B2)]

Yes _____ No _____

Comments:

*O'Leary, E., Lehman, M. and Doty, D., 2001. Adapted from: Storms, J., O'Leary, E., & Williams, J. The Individuals with Disabilities Education Act of 1997 Transition Requirements: A Guide for States, Districts, Schools, Universities and Families. Minneapolis, MN: University of Minnesota, Institute on Community Integration (UAP), National Transition Network, 2000.

- 4. Will this student need involvement from any outside agency in order to make a successful transition? [This question is not an IDEA 97 requirement, however, the information is necessary to answer questions 4a and 4b, 8, 20a and 20b. Answer question 4 ONLY for the current IEP year.]**

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP), (W IEP Form: I-2) Cover Sheet, and (WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(If yes, go to 4a) (If no, go to 5) (Too early to determine)

Comments:

- 4a. Did the public agency invite a representative of any other agency that is likely to be responsible for providing or paying for transition services? [If you answered “No” or “N/A” to question 4, answer question 4a “N/A”.]**

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP), (WI IEP Form: I-2) Cover Sheet, and (WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(If yes, go to 4b) (If no, go to 5)

Comments:

- 4b. If a representative from any other agency did not attend, did the public agency take other steps to obtain their participation in the planning of any transition services? [If you answered “No” or “N/A” to question 4 and/or 4a, answer question 4b “N/A”.]**

[Reference—(WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP), (WI IEP Form: I-2) Cover Sheet, and (WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

Comments:

PARENT PARTICIPATION

- 5. Was parent notice provided? [If the answer to question 5 is “No”, the answers to questions 6, 7, 8, 9, & 10 are “No”.]**

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____

(If no, go to 11)

Comments:

- 6. Does the parent notice indicate that one of the purposes of the meeting will be the development of a statement of transition service needs or a statement of needed transition services?**

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____

Comments:

7. Does the parent notice indicate that the public agency will invite the student?

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____

Comments:

8. Does the parent notice identify (by agency, position, and title) any other agency that will be invited to send a representative? [If you answered “No” or “N/A” to question 4, answer question 8 “N/A”.]

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____ N/A_____

Comments:

9. Does the parent notice indicate the date, time, and location of the meeting and who will be invited?

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____

Comments:

10. Does the parent notice inform the parents that they may invite other individuals who have knowledge or special expertise regarding their child, including related services personnel, as appropriate?

[Reference— (WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____

Comments:

CONTENT OF THE IEP

11. Does the IEP include a statement of current performance related to transition services?

[Reference— (WI IEP Form: I-11) Present Level of Educational Performance]

Yes_____ No_____

Comments:

STATEMENT OF TRANSITION SERVICE NEEDS (STSN)

12. Does the IEP include a statement of transition service needs that specifies the student’s courses of study that will be meaningful to the student’s future and motivate the student to complete his or her education?

[Reference—(WI IEP Form: I-9, Question B3) Transition Section]

Yes_____ No_____

Comments:

STATEMENT OF NEEDED TRANSITION SERVICES (SNTS)

- 13. Does the IEP include a statement of needed transition services? [If the answer to question 13 is no, the answer to questions 14, 15, 16, & 17 is “No”. If the student does not need a SNTS, the answer to questions 13, 14, 15, 16 & 17 is “N/A”.]**

[Reference— (WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(No SNTS Needed)

Comments:

- 14. Does the statement of needed transition services consider:**

a. instruction; Yes_____ No_____ N/A_____ (No SNTS Needed)

b. related services; Yes_____ No_____ N/A_____ (No SNTS Needed)

c. community experiences; Yes_____ No_____ N/A_____ (No SNTS Needed)

d. development of employment and other post-school adult living objectives; Yes_____ No_____ N/A_____ (No SNTS Needed)

e. daily living skills; and Yes_____ No_____ N/A_____ (No SNTS Needed)

f. a functional vocational evaluation? Yes_____ No_____ N/A_____ (No SNTS Needed)

[Reference—(WI IEP Form: I-13) Summary of Transition Services]

Comments:

- 15. Are the activities in the statement of needed transition services presented as a coordinated set of activities?**

[Reference—(WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(No SNTS Needed)

Comments:

- 16. Do the activities in the statement of needed transition services promote movement from school to the student’s desired post-school goals?**

[Reference—(WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(No SNTS Needed)

Comments:

- 17. If appropriate, does the IEP include a statement of the interagency responsibilities or any needed linkages? [Answer question 17 for current IEP year and future years.]**

[Reference—(WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(No SNTS Needed)

Comments:

18. Are the statements of transition service needs and needed transition services reviewed at least annually? [Review previous year's IEPs.]

[Reference—(WI IEP Form: I-9, Question B3) Transition Section & (WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(age 13 at previous IEP)

Comments:

19. Does the IEP include a statement that at least one year before the student reaches the age of majority under state law that the student has been informed of the rights under Part B that will transfer to him or her when he or she reaches the age of majority?

[Reference—(WI IEP Form: I-13) Summary of Transition Services]

Yes_____ No_____ N/A_____

(Too young for statement)

Comments:

20a. Did any participating agency from outside of the school system fail to provide agreed upon transition services contained in the IEP? [If you answered “No” or “N/A” to question 4, answer question 20a “N/A”.]

[Reference—(WI IEP Document)]

Yes_____ No_____ N/A_____

(If yes, go to 20b) (If no, stop)

Comments:

20b. Did the public agency responsible for the student's education initiate a meeting to identify alternative strategies to meet the transition objectives and, if necessary, revise the student's IEP? [If you answered “No” or “N/A” to question 4, answer question 20b “N/A”.]

[Reference—(WI IEP Form: A-9) Invitation to a Meeting of the Individualized Education Program (IEP)]

Yes_____ No_____ N/A_____

Comments:

Appendix 7

Comprehensive Staff Development

DPI and DVR will collaborate in providing training for first line providers of transition services in school districts and DVR under Wisconsin's Statewide Transition Initiative (WSTI) staff development requirements. Minimally, 12 CESA-based training events will be provided. The recommended audience for the staff development should include DVR counselors, guidance counselors, special education administrators, designated vocational instructors, special education teachers, and parents of students with disabilities.

This interagency agreement will be distributed electronically to all DVR staff by DVR and to all guidance counselors and special education teachers by DPI and be placed on the DVR and WSTI websites.

Appendix 8

Template for a Local Agreement between LEA, DVR, and Other Agencies

(The purpose of Appendix 8 is to provide a template/example of a county interagency agreement. The use of local agreements is strongly encouraged by both DPI and DVR. Local agreements are intended to provide the structure for implementation of the State level agreement. Local agreements will not supercede the State level interagency agreement, they are intended to complement one another.)

County Interagency Agreement
Transition Services
Between [List agencies]
[Date]

I. PURPOSE

The purpose of this agreement is to support the transition of students with disabilities from secondary schools to integrated employment, post-secondary education or training and independent living in the community through improved cooperative and collaborative efforts among relevant service providers including, but not limited to, the local education agency(ies), Division of Vocational Rehabilitation (DVR), [____] County Human Services Department, Job Service - [____], [____] Technical College [____], [____] Independent Living Services, and [____] Private Industry Council (PIC). This group of representatives will subsequently be known as the "[County] Transition Advisory Council." The council will work together to access transition services to students with disabilities, (pursuant to the Individuals with Disabilities Education Act (IDEA '97), the Carl Perkins Vocational and Applied Technology Education Act, the Rehabilitation Act, Workforce Investment Act, School-To Work Opportunities Act, and the Developmental Disabilities Act while they are enrolled in high school; and to prevent an interruption of services between the time that a student exits school and when adult services are initiated.

II. TARGET POPULATION

The focus of this agreement is on all high school students with disabilities including those served in special education and those not requiring special education who are enrolled in [____] Area Schools, School District of [____], and [____] School District who are determined by the student's Individualized Education Program (IEP) Team (for non-special education students, an interagency team) to need specific transition services for which other community agencies are responsible for providing and/or funding.

III. RELATIONSHIP TO STATEWIDE INTERAGENCY AGREEMENT

The Department of Public Instruction and the Division of Vocational Rehabilitation have entered into a statewide interagency agreement which outlines their responsibilities for transition. For these two agencies, the statewide agreement takes precedence over this document and cannot be contravened by the contents of this document. This local agreement will serve the role of permitting other agencies to engage in the same types of activities as DPI and DVR and will be seen as complementary to the statewide agreement.

IV. RESPONSIBILITIES OF ALL PARTICIPATING AGENCIES

To establish and maintain understandings needed to achieve the purposes of this cooperative effort, the involved agencies agree to:

A - Designate at least one individual to act as the agency representative on the [County] Transition Advisory Council. The Council will ensure their agency's "participation" when appropriate in the development of individual transition service recommendations at IEP meetings.

B - Disseminate a copy of this agreement as well as other pertinent information, and provide training on their contents to all their agency personnel.

C - Meet on a regular basis, as determined by the [____] Transition Advisory Council to review the transition process and future service and program needs.

D - Coordinate job development and placement activities to ensure consistent communication with the business community and avoid duplication of effort.

E - Maintain local contact and resource information (point of entry manual/website).

V. THE LOCAL AGENCIES

All other participating agencies will be listed under a separate section which will include the legal authority of their participation, a description of their eligibility criteria, and a summary of the services which may be available through their program for students with disabilities during the transition process.

Signatures of Participants in this Agreement

_____ Agency Administrator	_____ Agency Administrator
_____ Agency Administrator	_____ Agency Administrator
_____ Agency Administrator	_____ Agency Administrator
_____ Agency Administrator	_____ Agency Administrator

Appendix 9

Technical Assistance Services

The Division of Vocational Rehabilitation will provide technical assistance services to school districts that have transition students who have not yet applied for vocational rehabilitation services. Technical assistance services are defined as advice to the school in strategies and creative ideas for identifying the student's post-school employment goal, needs for services and concerns to be addressed in achieving those goals. DVR does not bear any financial or ongoing counseling responsibilities under this definition unless the student has an active plan for employment (IPE) with DVR.

Appendix 10

Resolution of Conflicts

A. General procedures for intra and inter agency disputes:

For the resolution of disputes arising over issues addressed in this agreement, all parties will utilize the appropriate steps and methods as described herein. Attempts will be made to resolve the issue at the lowest level of disagreement. Informal resolution will be the first step in dealing with any disagreements relative to this agreement. When an issue cannot be resolved at the lowest level, it should be referred to the next highest level as a formal dispute. Formal disputes under these procedures are to be submitted in writing at the appropriate local or state level. The materials presented will include: the regulation or requirement related to the dispute; the specific issue needing resolution; the prior steps taken to resolve the issue and any additional information that may be relevant to the dispute. Utilizing the information presented, a good faith effort will be made to reach a mutually satisfactory solution. Efforts must be made at each level for resolution in a timely manner.

B. Conflict resolution between consumer and DVR or LEA:

Individual students/consumers and their parents or legal guardians have the right to appeal LEA or DVR decisions regarding eligibility, services, and other aspects of the IEP or IPE. In these situations, an appeal should be filed following agency/school appeal procedures.

C. Resolution of state department intra-agency disputes:

This agreement recognizes that each agency has its own administrative mechanisms for the timely resolution of internal disputes. This agreement recognizes these procedures and permits each agency to resolve its own internal disputes.

D. Resolution of state department interagency disputes:

When a formal dispute arises between agencies regarding the terms of this agreement the party seeking clarification shall use the following procedure for resolution:

1. the issue will be referred to the respective division administrator or their designees for resolution.
2. if unresolved by division administrators, the issue will be referred to the highest level within the agencies for resolution.
3. all necessary steps in the resolution under this section shall occur within 60 days from referral to division administrators. If acted on in good faith with just cause and through mutual consent, an extension may be granted.

E. Final Resolution

Binding decision: If the dispute is not resolved by the methods described above, the issue will be referred to the Secretary of the Department of Administration whose decision will be final and binding on all parties. The decision must be made in a timely manner. If costs are incurred for the resolution review under this section, DWD and DPI will equally share the costs incurred.